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STATE OF MINNESOTA
DIVISION

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DISTRICT COURT-CIVIL

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COUNTY OF HENNEPIN CITY CLERK
DEPARTMENT

FOURTH JUDICIAL DISTRICT

Alfred Flowers,)
)
Plaintiff,)
)
v.)
)
)
Minneapolis Police Department,)
Officer Christopher Reiter and)
Officer Jon Schliesing)
Defendants.)

COMPLAINT

Plaintiff, Alfred Flowers, by this Complaint against Defendants, states and alleges as follows:

I. INTRODUCTION

1. This is an action arising out of an incident on July 25, 2014, in Minneapolis, Minnesota when Officer Reiter and Officer Schliesing, hereinafter referred to as "Defendant Officers", without any justification for their actions physically assaulted Plaintiff Alfred Flowers, as he was lawfully in his home spending a relaxing evening with his family. Mr. Flowers was thrown to the ground without explanation beaten and arrested.
2. Plaintiff Alfred Flowers is currently a resident of Minnesota. He is years old. Plaintiff resides in the City of Minneapolis, Hennepin County.
3. Defendant Officers are employed with the Minneapolis Police Department. They are responsible for the encounter with the Plaintiff that is the subject of this action. Defendants were acting under the color of state law. They are being sued in both their personal and official capacities.
4. Defendant Minneapolis Police Department employs Defendant Officers who were responsible for the encounter with the Plaintiff that is the subject of this action. Defendant was acting under color of state law. The Department is being sued in both its personal and official capacities. They are also responsible for the severe physical assault employed upon Plaintiff on July 25, 2014.

II. FACTUAL BACKGROUND

5. On or about July 25, 2014, at approximately 11:45 p.m., Sabrina Flowers, Breshyra Putnam, and Plaintiff Alfred Flowers were at their home located at 3106 Chicago Ave. S., Minneapolis, MN 55407. Mr. Flowers was sitting on his couch when he saw two Minneapolis Police Officers through his window walking towards his front door. One officer was slender and bald the other officer was short and stocky with black hair. Mr. Flowers got up and walked to the front door and opened the first door to allow them onto the porch. When Plaintiff opened the door the officers said they were there to get Sabrina. Plaintiff asked, "For what?" The officers responded, "I don't know why, but she could have done something yesterday or the day before." Plaintiff then asked, "Do you have a warrant?" The officers replied, "No." Mr. Flowers then turned and opened the second door allowing the officers to come into the house by the doorway while he went to get his daughter, Sabrina.
6. As Mr. Flowers walked to Sabrina's room, he called his sister, Alisa Clemons, on his cellphone to discuss what was happening, because he didn't feel right about the officers not having a warrant. When Mr. Flowers got to Sabrina's room he gave Sabrina the phone and said, "talk to your Aunt" and told her the police were there to get her. Mr. Flowers asked Sabrina for the hospital papers. Sabrina and Mr. Flowers walked to the front door. At this time, Sabrina was still on his cellphone talking to her Aunt, Alisa Clemons.
7. When we got to the front door Sabrina gave Plaintiff the hospital papers. Again, Plaintiff asked the officers, which marks the second time, "Do you have a warrant?" At this time, Plaintiff was standing in front of the officers and Sabrina was to his right and Mr. Flowers could see her out of the corner of my eye. Sabrina was still on the phone with her Aunt. The officers again replied, "No." Plaintiff asked for a third time if the officers had a warrant and asked to speak with a supervisor. Sabrina said, "Don't do anything to my Dad I'm right here." All of a sudden, unexpectedly and without warning, the short stocky officer with black hair grabbed Mr. Flowers by his throat, choked him and threw him. Mr. Flowers ended up on the ground by my couch. Mr. Flowers was lying on the ground on his stomach. The officer handcuffed Mr. Flowers. Mr. Flowers asked, "What's going on?" and the office started punching Mr. Flowers on both sides of his face and head. Mr. Flowers suffered 30-40 blows to the head by the short stocky officer with black hair.
8. While Plaintiff was down on the ground and being punched in the head and face, by the short stocky officer with black hair, more officers entered his house and started kicking and stomping him all over my body. At this time, Mr. Flowers could hear his daughter and niece screaming. Plaintiff was kneed and hit on both sides of his face as well. Plaintiff was then dragged out of his house and thrown up against a squad car. The short stocky officer with black hair stood Plaintiff up against the squad car (his squad car) and said, "Lower

your fuckin head” and slammed Plaintiff’s head on the car. He then threw Plaintiff inside the squad car like a ragdoll.

9. Inside the squad car, Plaintiff noticed 10 plus officers were surrounding the vehicle. The short stocky officer with black hair asked if Mr. Flowers wanted to go to the hospital. Mr. Flowers responded, “Absolutely.” The shorty stocky officer took Plaintiff to Hennepin County Medical Center emergency room.
10. Once the Plaintiff was checked in at the emergency room the nurses took pictures of his injuries. Mr. Flowers sustained severe injuries to his head, right eye, left eye, ribs and back as a result of the assault employed by the officers. Plaintiff received 6-7 stiches on his right eye and 4 stiches/staples on the front of his head. Plaintiff sustained severe damage to his left eye and continues to suffer severe from that damage. Plaintiff also complained of pain to my ribs and back. These complaints of pain were not examined. Approximately one week later, X-rays revealed a fracture to Plaintiff’s ribs.
11. After Plaintiff was cleaned and stitched up, he was escorted in handcuffs outside to a squad car. Plaintiff was then transported to Hennepin County Jail.
12. Defendants lacked any basis under the state or federal constitutions to enter Plaintiff’s home, arrest, or use force against Plaintiff, Alfred Flowers.
13. Defendant Officers, by their improper and unlawful arrest of Plaintiff, were carrying out the duties of Defendant Minneapolis Police Department.
14. As a result, Defendants’ actions, Plaintiff has experienced pain and suffering, emotional distress, humiliation and embarrassment, and other losses and damages, altogether in excess of \$50,000.

**COUNT 1- EXCESSIVE FORCE
VIOLATIONS OF 42 U.S.C. § 1983 and FOURTH AMENDMENT**

15. Plaintiff hereby realleges and incorporates by reference all of the facts and allegations contained in paragraphs 1 through 14 of this Complaint.
16. Defendant Officers, acting under color of state law, deprived Plaintiff of his rights, privileges and immunities secured by the Constitution and law of the United States by subjecting him to excessive force under the Fourth Amendment, in violation of 42 U.S.C. § 1983 and the Fourth Amendment, which provides protections against unreasonable searches and seizures, by entering Plaintiff’s home without a warrant and beating him without justification or cause to believe he was involved in criminal activity, using force on Plaintiff that was excessive and unnecessary. Defendants, by

committing the unlawful search and seizure, were carrying out their official duties as Officers of the Minneapolis Police Department.

17. As a direct and proximate result the use of excessive force, Plaintiff sustained serious and permanent personal injuries and suffered the damages described herein, an incurred medical expenses, litigation costs and attorney's fees.

COUNT 2- VIOLATIONS OF 42 U.S.C. § 1983

CONSPIRACY 5

18. Plaintiff hereby realleges and incorporates by reference all of the facts and allegations contained in paragraphs 1 through 17 of this Complaint.
19. Defendants, acting under color of state law, deprived Plaintiff of his rights, privileges and immunities secured by the Constitution and laws of the United States, in violation of 42 U.S.C. § 1983, by conspiring between themselves and with others to violated Plaintiff's rights under the Fourth Amendment, including the seizure, and detention of Plaintiff.
20. As a result of Defendants' conduct, Plaintiff has suffered damages described in paragraph 14 of this Complaint.

COUNT 3- VIOLATIONS OF 42 U.S.C. § 1985 AND 1986

21. Plaintiff hereby realleges and incorporates by reference all of the facts and allegations contained in paragraphs 1 through 20 of this Complaint.
22. Defendants, while subjecting Plaintiff to the violations of his rights to be free from unlawful searches and seizures, conspired to deprive Plaintiff of equal privileges and immunities under the laws, thereby violating 42 U.S.C. § 1985(3).
23. Defendants had knowledge that the wrongs conspired to be done, as described in the previous paragraphs, were about to be committed, had the power to prevent or aid in preventing the commission of those wrongs, and refused to do so, thereby violating 42 U.S.C. § 1986.
24. As a result of Defendant's conduct. Plaintiff suffered the damages described in paragraph 14 of this Complaint.

COUNT 4- VIOLATIONS OF MINNESOTA CONSTITUTION

25. Plaintiff hereby realleges and incorporates by reference all of the facts and allegations contained in paragraphs 1 through 24 of this Complaint.
26. Defendants, by their above-described actions, violated Plaintiff's rights to due process and to be free from unreasonable searches and seizures, under Article I, § 10 of the Minnesota Constitution.
27. As a result of Defendants' conduct, Plaintiff suffered the damages described in paragraph 14 of this Complaint.

COUNT 5- ASSAULT AND BATTERY

28. Plaintiff hereby realleges and incorporates by reference all of the facts and allegations contained in paragraphs 1 through 27 of this Complaint.
29. Defendant officers, in the course of their employment with the Minneapolis Police Department, by their above-described actions, engaged in unjustified and intentional harmful contact toward Plaintiff, and placed Plaintiff in fear of imminent bodily harm, thereby committing assault and battery.
30. As a result of Defendants' conduct, Plaintiff suffered the damages described in paragraph 14 of this Complaint.

COUNT 6- FALSE IMPRISONMENT

31. Plaintiff hereby realleges and incorporates by reference all of the facts and allegations contained in paragraphs 1 through 30 of this Complaint.
32. Defendant Officers, in the course of their employment with the Minneapolis Police Department, by their above described actions, engaged in unjustified and intentional confinement of Plaintiff against his will, thereby committing false imprisonment.
33. As a result of Defendant's conduct, Plaintiff suffered the damages described in paragraph 14 of this Complaint.

COUNT 7- NEGLIGENCE

34. Plaintiff hereby realleges and incorporates by reference all of the facts and allegations contained in paragraphs 1 through 33 of this Complaint.
35. Defendants, by their above-described actions, failed to exercise reasonable care by their improper arrest, use of force, and beating of Plaintiff.
36. As a result of Defendants' conduct, Plaintiff suffered the damages described in paragraph 14 of this Complaint.

WHEREFORE Plaintiff prays for Judgment in his favor as follows:

1. Awarding judgment in favor of Plaintiff against the Defendants and each of them jointly and severally in an amount in excess of \$50,000.00 as and for compensatory damages.
2. Awarding Plaintiff all of his costs and disbursements herein, and prejudgment interest.
3. Awarding Plaintiff reasonable attorney fees pursuant to 42 U.S.C. § 1988 and Minn. Stat. Ch. 363.
4. Such other and further relief as the Court may deem just and proper.

Respectfully submitted,

Champion Law Office

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